

1 BILL NO. G-84-04-26

2 *Verne*
SPECIAL ORDINANCE NO. G- *Wildman*

3 AN ORDINANCE amending the Municipal
4 Code by prohibiting certain auto-
5 matic alarms, establishing require-
6 ments for audible alarms and ini-
7 tiating a monitoring fee for other
8 alarms.

9 WHEREAS, it is essential for the City of Fort Wayne to
10 have the most efficient Communications Department possible; and

11 WHEREAS, an alarm system which automatically dials the
12 Communications Department interferes with the efficiency of said
13 Department; and

14 WHEREAS, elimination of these automatic dialing devices
15 is necessary to maintain the efficiency of said Communications
16 Department; and

17 WHEREAS, audible alarms, which continue to emit a sound
18 indefinitely, are a necessary irritant to the citizens of the
19 City of Fort Wayne, and

20 WHEREAS, institutions, which directly terminate alarms
21 at the Communications Department, should pay a monitoring fee for
22 this expensive service.

23 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
24 THE CITY OF FORT WAYNE, INDIANA:

25 SECTION 1. That Chapter 7 of the Municipal Code of the
26 City of Fort Wayne of 1974 is hereby amended by adding thereto
27 the following sections.

28 SECTION 2. Definitions. For purposes of this ordi-
29 nance, the following terms shall have the meanings as hereinafter
30 described:

31 (a) "Alarm Business" means any business operated for a
32 profit which engages in altering, installing,
leasing, maintaining, repairing, replacing, selling,
servicing or responding to an alarm system, or
which causes any of these activities to take place.

- (b) "Alarm System" means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention. "Alarm system" shall include, but not be limited to, automatic hold-up alarm systems, burglar alarm systems, hold-up alarm systems, manual hold-up alarm systems, and fire alarm systems, vehicle alarm systems and residential alarm systems.
- (c) "Automatic Dialing Device" means any device or combination of devices that will, upon activation, either mechanically, electronically or by any other automatic means initiate a pre-recorded voice message or coded signal over regular telephone lines, by direct connection or otherwise, to any telephone number or numbers.
- (d) "Financial Institution" means a bank, savings and loan association, credit union or any institution empowered to receive deposits of cash or commercial paper any of which facilitates the borrowing and/or lending of money.
- (e) "Person" means any individual, firm, partnership, corporation, committee, association, joint venture or any other entity or organization or group of persons.
- (f) "Proprietor Alarm System" means any alarm system which is owned and maintained by the person, firm or corporation or other entity who exercises ownership, dominion or control over the property which is protected by such alarm system.

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(g) "Subscriber Alarm System" means any alarm system which is owned or maintained by an alarm business for the protection of the property of subscriber, customer or client of such alarm business.

SECTION 3. Automatic Dialing Devices. No person shall use or operate, or attempt to use or operate, or cause to be used or operated, or arrange, adjust, program or otherwise provide or install any automatic dialing device that initiates a message or coded signal to any telephone number or numbers assigned to the City of Fort Wayne police, fire, emergency or communications departments.

SECTION 4. Audible Alarms.

(a) No person shall install or maintain any audible alarm system, except such system on a vehicle, which:

(1) Does not have conspicuously affixed on the exterior of the protected building or structures the name and telephone number of the alarm business if it is a subscriber alarm system; or

(2) Does not have on file with the Fort Wayne Communications Department, or conspicuously affixed on the exterior of the protected building the name and telephone number of the owner or other person responsible for the control of the premises if it is a proprietor alarm system.

(b) No person shall install or maintain any audible alarm system which does not automatically discontinue emitting an audible sound within thirty (30) minutes after the system is activated.

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SECTION 5. Alarm Terminations.

(a) Financial institutions may terminate intrusion, hold-up or burglar alarms in the Communications Department after requesting and being granted permission by the Chief of the Communications Department.

(b) Any fire alarm may be terminated in the Communications Department after permission is requested and granted by the Chief of the Communications Department.

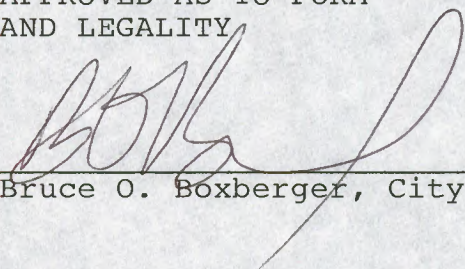
(c) A Five Hundred Dollar (\$500.00) annual monitoring fee must be paid to the City Controller for each alarm that is terminated in the Communications Department.

SECTION 6. Penalty. A violation of this ordinance shall subject the violator to a fine of not more than Five Hundred Dollars (\$500.00) for each day said ordinance is violated.

SECTION 7. Effective Date. This ordinance is effective upon passage and approval by the mayor and upon due publication. Within sixty (60) days after the effective date of this ordinance, all existing automatic dialing devices prohibited by Section 3 of this ordinance shall reprogramed or discontinued.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Jim Smith, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 8-14-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____,

ATTEST: _____

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. S-84-08-26

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE amending the Municipal Code by purchasing certain
automatic alarms, establishing requirements for audible alarms
and inititating a monitoring fee for other alarms

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Withdraw PASS.

MARK E. GIAQUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

THOMAS C. HENRY

DONALD J. SCHMIDT

Mark E. Giaquinta

James S. Stier

Janet G. Bradbury

Thomas C. Henry

Donald J. Schmidt



The City of Fort Wayne

D-84-08-26

August 27, 1984

Ms. Sandra E. Kennedy
City Clerk
Room 122, City-County Building
One Main Street
Fort Wayne, Indiana 46802

RE: Bill No. G-84-04-26/An Ordinance Dealing
With Automatic Alarms

Dear Sandy:

Would you kindly withdraw the above captioned ordinance. Some technical changes must be made and accordingly this ordinance is not ready for consideration.

It is anticipated that an ordinance dealing with this subject will be submitted at a later date. Please feel free to show this letter to the chairperson of the appropriate committee.

Thank you.

Sincerely yours,

Bruce O. Boxberger / dkg

Bruce O. Boxberger
City Attorney (Corporation Counsel)
City of Fort Wayne, Indiana

BOB:dkg

cc: Mr. David M. Perlini
Executive Office Staff Director

Admn. Appr. _____

DIGEST SHEETTITLE OF ORDINANCE Special Ordinance 9-84-08-26DEPARTMENT REQUESTING ORDINANCE Fire, Police & Traffic

SYNOPSIS OF ORDINANCE AN ORDINANCE amending the Municipal Code of
the City of Fort Wayne by prohibiting certain automatic alarms, esta-
blishing requirements for audible alarms and intiating a monitoring
fee for other alarms.

EFFECT OF PASSAGE Eliminating alarm system which automatically dial
the Communications Department is necessary to maintain the efficiency
of the Communications Department.

EFFECT OF NON-PASSAGE Opposite of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____